

REMARKS/ARGUMENTS

The Office Action of November 27, 2007 has been carefully reviewed and these remarks are responsive thereto. Claims 1, 5, 9, 12, 13 and 17 have been amended. Claims 29 and 30 have been added. No new matter has been added. Reconsideration and allowance of the instant application are respectfully requested. Claims 1, 3-9, 11-17, and 19-30 are pending in this application.

Rejections Under 35 U.S.C. § 102

Claims 1, 9, 17, 21-23, 25, and 28 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,559,548 to Davis, et al. ("Davis"). Applicants respectfully traverse this rejection.

Amended independent claim 1 recites, among other features, "determining at least two meaningful words in a program title of an electronic program guide, ***wherein each of the at least two meaningful words appears at least once in a database***; [and] determining a less descriptive word from the at least two meaningful words ***based on a frequency with which each of the at least two meaningful words appear in the database***." (Emphasis added).

As Applicants have previously noted, the portion of Davis upon which the Action relies merely relates to shortening a program title by querying an editor or by comparing the program title with shortened titles stored in a library to determine if the program title has previously been shortened. In other words, the cited portion of Davis, merely describes determining words for use in shortening of a title, based on comparing the title to be shortened with a library of shortened titles. Thus, Davis does not evaluate the frequency that a word appears in a database; rather, Davis merely determines whether a title has been shortened in the past using a shortened titles database. The Advisory Action dated March 28, 2008, contends that, per the relied on portion of Davis (col. 18, lines 35-45), "[a] word that appears in the shortened title has a greater frequency than one that does not, and will thus be used in the edited version." (Office Action: page 4). However, claim 1 recites determining a less descriptive word from at least two meaningful words, wherein each of the at least two meaningful words ***appears at least once*** in the database. Thus, even assuming, without conceding, the validity of the Action's assertions, Davis merely describes determining a less descriptive word if the word does not appear at all in

the database. Davis does not teach or suggest determining a less descriptive word from two words that appear in the database based on a frequency of appearance. Accordingly, claim 1 is allowable for at least these reasons.

Claims 21-23, 25 and 28, which depend from claim 1, are patentably distinct from Davis for at least the same reasons as their ultimate base claim and further in view of additional advantageous features recited therein.

Amended independent claims 9 and 17 recite features similar to those recited in claim 1 and thus are allowable for substantially the same reasons as claim 1.

Rejections Under 35 U.S.C. § 103

Claims 3-5, 8, 11-13, 16, 19-20 stand rejected 35 U.S.C. § 103(a) as being unpatentable over Davis in view of U.S. Patent No. 6,279,018 to Kudrolli, et al. (“Kudrolli”). Claims 6 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of U.S. Patent No. 6,981,217 to Knauff et al. (“Knauff”). Claims 7 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of Kudrolli and in further view of U.S. Patent No. 6,374,225 to Hejna, Jr. (“Hejna”). Claims 24, 26, and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of U.S. Patent No. 6,169,543 to Wehmeyer (“Wehmeyer”). Applicants respectfully traverse these rejections.

Notwithstanding the propriety of combining Davis and Kudrolli, Kudrolli fails to remedy the deficiencies described above with respect to claims 1, 9 and 17, upon which claims 3-5, 8, 11-13, 16 and 19-20 respectively depend. At best, Kudrolli describes replacement of less commonly used phrases and words. *See, e.g.*, col. 7, lines 45 - 46. Nonetheless, Kudrolli does not teach or suggest determining a less descriptive word based on ***the frequency of the word in a database***. As such, the combination of Davis and Kudrolli does not result in the invention of claims 3-5 and 8, which depend from claim 1, claims 11-13 and 16, which depend from claim 17, and claims 19-20, which depend from claim 17. Claims 3-5, 8, 11-13, 16, and 19-20 are thus allowable for at least the same reasons as their respective base claims, and further in view of the other novel and non-obvious features recited therein.

Even assuming, without admitting, that the combination of Davis and Knauff is proper, Knauff fails to remedy the deficiencies of Davis described above with respect to claims 1 and 9

(from which claims 6 and 14 depend, respectively). Therefore, claims 6 and 14 are patentably distinct from the combination of Davis and Knauff for at least the same reasons as claims 1 and 9, respectively, and further in view of the novel and non-obvious features recited therein.

Even assuming, without admitting, that the combination of Davis, Kudrolli and Hejna is proper, Kudrolli and Hejna, alone or in combination, fail to remedy the deficiencies of Davis described above with respect to Applicants' claims 1 and 9 (from which claims 7 and 15 depend, respectively). Therefore, claims 7 and 15 are patentably distinct from the combination of Davis, Kudrolli and Hejna for at least the same reasons as claims 1 and 9, respectively, and further in view of the novel and non-obvious features recited therein.

Even assuming, without admitting, that the combination of Davis and Wehmeyer is proper, Wehmeyer fails to remedy the deficiencies of Davis described above with respect to claim 17. Therefore, claims 24, 26, and 27 are patentably distinct from the combination of Davis and Wehmeyer for at least the same reasons as claim 17, and further in view of the novel and non-obvious features recited therein.

New Claims

Claims 29 and 30 have been added. No new matter has been added. While Applicants recognize that claims 29 and 30 have not been rejected, Applicants provide the following remarks in the interest of expediting prosecution.

Claims 29 and 30 depend on claim 1 and are allowable for at least the same reasons as claim 1.

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CONCLUSION

If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

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